

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 1011 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

SUTHAR JAYANTILAL JAGJIVANDAS

Versus

SUTHAR BHAILALBHAI NATWARLAL

Appearance:

MR VASANT S SHAH for Petitioner

MR SHAKEEL A QURESHI for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 02/03/2000

ORAL JUDGEMENT

1. Having heard the learned counsel for the petitioner, I do not find any perversity in the order of the courts below.

2. Both the courts below concurrently held that the

petitioner is not in possession of the suit property. The other side has a registered sale deed of the suit property in their favour. In the registered sale deed, there is also a recital that the possession of the same has been delivered to the purchaser. Above that, the petitioner has also prayed in the suit for mandatory injunction which clinches the issue and I find sufficient justification in the contention of Shri Qureshi that the petitioner has admitted the possession of the respondents in the suit property.

3. In the result, this civil revision application fails and the same is dismissed with costs. Rule discharged. Interim relief, if any, granted by this court stands vacated.

zgs/-